



April 15, 2005

Myth vs. Fact

Myth:

“It has happened and repeatedly in our history. In fact in the year 2000, during consideration of the Paez nomination, there was one senator who voted to continue the filibuster against Judge Paez...there's no question that we have used the filibuster on judicial nominees.” Senator Durbin, Senate Floor Statement, 4/15/05

Fact:

This is demonstrably inconsistent with the facts. The big difference between Paez and the 10 nominees filibustered by the Democrats is that Paez was confirmed by the Senate. He currently serves on the federal bench.

Compare and Contrast:

PAEZ

104th Congress: Hearing

105th Congress: Hearing

106th Congress: Bipartisan support of more than 50 but less than 60 senators led to floor vote and confirmation

End Result: Confirmation

OWEN

107th Congress: Hearing

108th Congress: Hearing

109th Congress: Bipartisan support of more than 50 but less than 60. . .

End Result: She can't get the up-or-down vote that the “filibustered” Paez did....

The rules should be the same regardless of who is President and who the nominees are: a fair, up-or-down vote on the Senate floor.